

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. JOSEPH ANTHONY PATTERSON

Docket No. 5:13-CR-68-1FL

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Joseph Anthony Patterson, who, upon an earlier plea of guilty to Felon in Possession of a Firearm and Ammunition 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on September 4, 2013, to the custody of the Bureau of Prisons for a term of 33 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Joseph Anthony Patterson was released from custody on September 4, 2015, at which time the term of supervised release commenced. On July 8, 2016, a Violation Report was filed by the probation office advising the defendant tested positive for cocaine on April 28, 2016. Although Patterson denied any illegal drug use, he agreed to utilize faith based support organizations in the community and increase his frequency of drug testing. On July 11, 2016, the court agreed with the probation officer's recommendation to continue supervision.

On October 25, 2017, a Petition for Action on Supervised Release was filed advising the court that the defendant tested positive for cocaine on September 29, 2017. Patterson agreed to adhere to increased drug testing measures and to report for substance abuse counseling. On October 26, 2017, the court ordered the defendant to complete 30 days of Location Monitoring with curfew, along with the participation in the DROPS Program (second use level).

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 27, 2017, the defendant provided a urine sample that tested positive for cocaine. Patterson signed an admission form admitting to cocaine use on November 26, 2017. As directed by the DROPS Program, the defendant agreed to complete a 5-day period of imprisonment as scheduled by the Bureau of Prisons, which is pending.

During the month of November 2017, the defendant was unable to secure a stable residence to begin the 30 days of Location Monitoring via Radio Frequency Program, as he was either living without electricity or homeless. On December 2, 2017, Patterson secured residency in a local homeless shelter for 90 days, but he will be unable to participate in the Location Monitoring via Radio Frequency. It is respectfully recommended that in lieu of the 30 days of Location Monitoring via Radio Frequency, the defendant adhere to a curfew as directed by the probation officer for a period not to exceed 30 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to residence during the curfew hours.

Except as herein modified, the judgment shall remain in full force and effect.

JOSEPH ANTHONY PATTERSON

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield

Dwayne K. Benfield

Supervising U.S. Probation Officer

/s/ Michael W. Dilda

Michael W. Dilda

U.S. Probation Officer

201 South Evans Street, Rm 214


Greenville, NC 27858-1137

Phone: 252-830-2342

Executed On: December 6, 2017

ORDER OF THE COURT

Considered and ordered this 6th day of December, 2017, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge